

REMARKS

Claims 1-18, 21-23, 25-32, and 34-38 remain in the case.

Reconsideration of this application and entry of the foregoing amendments are requested. Claims 1, 30, 32, and 35 have been amended in view of the Office Action and to better define what the Applicants consider to be their invention, as fully supported by an enabling disclosure.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112 FIRST PARAGRAPH

The Examiner has rejected claims 1-18, 21-23, 25-32, and 34-38 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Applicant has amended claims 1, 30, 32, and 35 to more define more precisely the invention as supported in the description as filed, for example at page 5, line 26 to page 6 line 2, page 20 lines 9-12.

In view of the above and the foregoing, it is respectfully requested that the Examiner withdraw his rejection of claims 1, 30, 32, and 35 and of claims dependent thereon under 35 U.S.C. § 112, first paragraph.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-18, 21-23, 25-32 and 34-38 under 35 U.S.C. § 103(a) as being unpatentable over Muir in view of Kaye.

Muir is not a citable prior art reference because the present application has a priority date of December 23, 1998, based on the Canadian priority patent application No. 2,258,809, a certified translation copy of which is herein submitted for reference.

As previously submitted by the Applicant, Kaye discloses a computer game method and system wherein "Destiny codes" encode the outcome of a game (see column 3, lines 5-8), an

“actualization game” reading the “Destiny codes” to discover how the game should play (see column 3, lines 40-43; column 5, lines 62-67), the “Destiny codes” setting up the game as a win or lose (column 4, lines 31-33). For a loser “Destiny code”, the actualization game sets the variable of the games so that the game will display a losing outcome and vice-versa (see column 6, lines 1-8). The Destiny codes and the “actualization game” are separate entities (column 12, lines 5-7).

In sharp contrast, in the present invention, the predetermined codes of the present invention, referred to as “initiator codes,” determine not only the outcome of a game but also a plurality of sequences of states referred to as “game workflow” via game seeds. Indeed, an initiator code is related to a predetermined outcome on the one hand, and to games seeds on the other hand (see, for example, page 5, line 26, to page 6 line 2, page 20 lines 9-12 of the description as filed). From these game seeds, the program generates pseudo random sequences of game states, which are then sorted out so as to match the predetermined outcome related to the corresponding initiator code (see, for example, page 7, lines 23-26, of the description as filed). This process yields a plurality of game outcome-game seed pairs allowing a particular outcome to be reached in a number of different ways (see, for example, page 27).

Since, as discussed hereinabove, the predetermined codes of Kaye are of a different nature and function than the predetermined codes of the present invention, the method for generating a computer gambling game as recited in the present application is believed to be new and inventive over that of Kaye.

For the same reasons as discussed hereinabove, it is submitted that the method for playing a computer gambling game, as recited in the present invention, is new and inventive over that of Kaye.

Similarly, it is believed that a computer-readable media usable to play a computer gambling game, as recited in the present invention, is new and inventive over Kaye.

